

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: H. MURAD

Application No.: 09/501,217

Group Art Unit: 1615

Filed: February 10, 2000

Examiner: L. Channavajjala

For: FRUIT EXTRACT COMPOSITIONS FOR  
TREATING DERMATOLOGICAL  
DISORDERSAttorney Docket No.: 060915-017  
(2267-017)TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Victor N. Balancia, represents that he is a partner in the law firm of Morgan, Lewis & Bockius the attorneys of record for Dr. Howard Murad, the owner of the entire right, title, and interest in and to the above identified application. This petition is made on behalf of and for the benefit of Dr. Howard Murad.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 6,630,163 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,630,163.

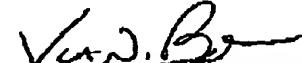
Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantees, their successors and their assigns.

Petitioner does not disclaim any terminal part of any patent which issues on the above-identified application prior to the expiration date of any U.S. Patent No. 6,630,163 in the event that patent: is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that, to the best of his knowledge and belief, title is in the owner seeking to take action in this matter and that he is empowered to act on behalf of Dr. Howard Murad.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 18 the day of February, 2004

  
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Victor N. Balancia (Reg. No. 31,231)